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T.R.A. DOCKET ROOM

October 4, 2004

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Pat Miller, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Pkwy.  
Nashville, TN 37243-0505

*Via Hand Delivery*

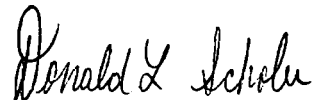
Attention: Sharla Dillon, Docket Manager

Re Petition of IRM Utility, Inc. to Expand its Service Area to Include a Portion of Knox County, Tennessee, Known as Kennesaw Park Subdivision  
Docket No. 04-00267

Dear Chairman Miller

I have enclosed for filing the original and fourteen copies of the Petition to Intervene of First Utility District of Knox County, Tennessee in this matter. I have enclosed this firm's check for \$25.00 for the filing fee. Please return the extra copy to me stamped filed. Thank you for your assistance in this matter.

Sincerely yours,



DONALD L. SCHOLLES

Enclosures

c Charles B. Welch, Jr.  
Ralph McCarter

BKSJ File No. 89-606

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**  
**NASHVILLE, TENNESSEE**

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**IN RE:**

**T.R.A. DOCKET ROOM**

**PETITION OF IRM UTILITY, INC. TO )  
EXPAND ITS SERVICE AREA TO INCLUDE )  
A PORTION OF KNOX COUNTY, TENNESSEE, )  
KNOWN AS KENNESAW PARK SUBDIVISION )**

**Docket No. 04-00267**

**PETITION TO INTERVENE OF FIRST UTILITY DISTRICT**  
**OF KNOX COUNTY, TENNESSEE**

First Utility District of Knox County, Tennessee (the District), by and through its counsel, petitions the Tennessee Regulatory Authority ("TRA"), pursuant to Tennessee Code Annotated Sections 65-2-107 and 4-5-310 and Tennessee Rules and Regulations Chapters 1220-1-1 and 1220-1-2, to allow the District to intervene and be heard in this pending matter. In support of its Petition, the District states as follows:

1. First Utility District of Knox County, Tennessee is a utility district providing water and wastewater services to its customers within its boundaries in Knox County, Tennessee.
2. IRM Utility, Inc. seeks the authority to provide wastewater service to the Kennesaw Park Subdivision which is located within the District's geographic boundaries. The District has the exclusive right to provide wastewater services within its boundaries. The grant of the IRM Utility, Inc. Petition may affect the District's future plans to provide wastewater services in the areas near the Kennesaw Park Subdivision and may raise issues about the obligations of the District to provide wastewater services to this subdivision in the future should IRM Utility, Inc. not be able to provide wastewater services after the grant of the certificate sought.

3. The District's legal rights, duties, privileges, immunities, or other legal interests or responsibilities may be affected or determined by the outcome of this proceeding, and Petitioner's interest will not be adequately represented unless allowed to intervene.

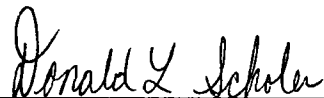
4. The Petitioner's participation will not impair the interest of justice or the orderly prompt conduct of the TRA's proceeding.

5. This Petition to Intervene is being filed at least seven (7) days before the scheduled hearing of this cause.

WHEREFORE, PREMISES CONSIDERED, the District prays that it be granted leave to intervene and participate in this proceeding with all attendant rights and responsibilities, and to receive copies of any notices, orders or any other documents filed herein, and have such other, further and general relief as the justice of its cause entitles it to receive.

DATED this 4th day of October, 2004.

Respectfully submitted,



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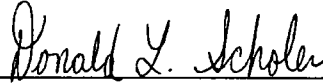
DONALD L. SCHOLES, # 10102  
Branstetter, Kilgore, Stranch & Jennings  
227 Second Avenue North, 4th Floor  
Nashville, Tennessee 37201-1631  
(615) 254-8801

Attorney for Petitioner, First Utility District of  
Knox County, Tennessee

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the above and foregoing Petition to Intervene has been served upon the following person on this 4th day of October, 2004 by U.S. Mail, postage prepaid:

Charles B. Welch, Jr.  
Farris, Matthews, Branan, Bobango & Hellen, PLC  
618 Church Street, Suite 300  
Nashville, TN 37219

  
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DONALD L. SCHOLES